

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 29 September 2010 ("September 2010 RCE") has been entered.

Acknowledgements

2. This Office Action is given Paper No. 20100930 for reference purposes only.
3. This Office Action is in response to the September 2010 RCE. The September 2010 RCE contained, inter alia, Claim Amendments ("September 2010 Amendments") and Remarks/Arguments ("September 2010 Remarks").
4. Claims 16-20 are pending.
5. Claims 16-20 have been examined.

Allowable Subject Matter

6. Claims 16-20 are allowed.
7. The following is an examiner's statement of reasons for allowance:
8. Regarding the claimed terms, the Examiner notes that a "general term must be understood in the context in which the inventor presents it." *In re Glaug*, 283 F.3d 1335, 1340, 62 USPQ2d

1151, 1154 (Fed. Cir. 2002). Therefore, the Examiner must interpret the claimed terms as they are found on pages 1-36 of the specification. Clearly, almost all of the general terms in the claims may have multiple meanings. So, where a claim term “is susceptible to various meanings...the inventor’s lexicography must prevail...” *Id.* Using these definitions for the claims, the claimed invention was not reasonably found in the prior art..

9. As per independent claim 16, the primary reference, U.S. Patent 5,629,980 (“Stefik”) discloses:

10. A content distribution system comprising a server (figure 2, Master Repository **204**) that stores a content (figure 11 generally) containing a plurality of resources (figure 11, d-blocks **1101-1105**) and comprising a receiving terminal (figure 2, Repository **201**) that receives the content distributed from the server;

11. wherein the content includes: an upper-level resource (figure 11, content referred to by “Starting Address” in **1101**) that is first referred to by a startup document (figure 11, root d-block **1101**), the upper- level resource being from among the plurality of resources contained in the content, such that the upper-level resource is the first of the plurality of resources referred to by the startup document (figure 11, first item referred to by root d-block **1101**);

12. at least one lower-level resource to be referred to from the upper-level resource (figure 11, d-blocks **1102-1105**);

13. the startup document including (i) reference destination information of the upper-level resource (figure 11, “Starting Address” in **1101**), (ii) content identification information identifying the content (figure 11, “Identifier” in **1101**), (iii) a plurality of pieces of license

information about view licenses for making the content usable (figure 14, Right **1450**), (iv) resource-corresponding information causing the plurality of resources contained in the content to correspond to one or more decryption keys included in the view licenses and required for decryption (figure 14, Access **1456**), and (v) sub-licenses when the content corresponds to the sub-licenses, such that: each of the sub-licenses manages one or more respective keys, the one or more respective keys managed by each sub-license having encrypted one of the plurality of resources (figure 11, Child Pointers in **1101**);

14. each of the sub-licenses has data obtained by encrypting the one or more respective keys by a common key (column 9, lines 45-50 - “data in the contents file may be...encrypted (for security)”);

15. the content corresponds to the content identification information identifying the content (note how figure 9, Text **925** corresponds to figure 6, Text **614**);

16. each of the plurality of pieces of license information includes (i) license identification information that is unique information identifying a corresponding view license of the view licenses (figure 15, Right-Code **1502**), and (ii) when the corresponding view license makes a corresponding sub-license of the sub-licenses usable, resource identification information of the corresponding sub-license (figure 7, Child Pointer **706** points to the lower d-blocks, which point to the lower d-blocks’ Rights Portions);

17. each of the view licenses is stored in the server and each respective view license of the view licenses includes (i) the license identification information that is unique information identifying the respective view license (figure 15, Right-Code **1502**), (ii) a usage rule representing a condition regarding a view period and a condition regarding a view limitation

(figure 15, Time-Spec **1512**), and (iii) a key bunch of decryption keys for decoding one of the content, when encrypted, and the corresponding sub- license, when encrypted (column 9, lines 45-50 - “data in the contents file may be...encrypted (for security)”);

18. the resource-corresponding information includes, for each of the plurality of the pieces of license information, a name of the resource identification information of the corresponding sub-license (figure 15, Right-Code **1512**) and identification information of a corresponding decryption key of the decryption keys included in the view licenses (figure 15, Authorization-ID **1516**);

19. at least one of the resources contained in the content includes self-content link information for accessing a resource contained in the content, the self-content link describing information referring to the resource for which the self-content link information is for accessing (figure 7, Child Pointer **706** points to the lower d-blocks);

20. each respective sub-license of the sub-licenses includes (i) sub-license identification information that is unique information identifying the respective sub-license (figure 15, Right-Code **1502**), (ii) the license identification information that is unique information identifying the corresponding view license (figure 15, Render-Code **1503**), (iii) a usage rule that represents a condition regarding a view period and a condition regarding a view limitation when the respective sub-license is used (figure 15, Time-Spec **1512**), and (iv) a key bunch of decryption keys for decoding the content when encrypted (figure 15, Authorization-ID in **1516**);

21. wherein the receiving terminal comprises: a first request section (figure 12, Processing Element **1201**) that (ii) when the user has given an instruction to switch a view target based on the self-content link information included in the at least one of the resources, transmits, to the

server, the information referring to the resource for which the self-content link information is for accessing and described in the self-content link information so as to request the resource for which the self-content link information is for accessing (figure 1, Repository 2 initiates A Session with Repository 1 **103**);

22. a view license setting section (figure 12, Content Storage **1204**) that (b) when the selected piece of license information includes the resource identification information of the corresponding sub-license, further acquires, from the server, the corresponding sub-license identified by the resource identification information of the selected piece of license information and stores the acquired sub-license in the receiving terminal (figure 1, Repository 1 transmits digital work to Repository 2 **107**);

23. a second request section (figure 12, Descriptor Storage **1203**) that, after the view license setting section performs (a) and (b), extracts the reference destination information of the upper-level resource described in the received startup document and transmits the extracted reference destination information to the server so as to request the upper-level resource (figure 1, Repository 2 Requests Access to a Digital Work for a Stated Purpose **104**);

24. a presentation section (figure 12, Processor Means **1200**) that (1)(a) when the resource for which the self-content link information is for accessing has been received from the server and when the content does not correspond to any sub-license of the sub-licenses, decrypts the encrypted resource for which the self-content link information is for accessing using the decryption key uniquely specified based on the resource-corresponding information stored in advance in the receiving terminal and presents the encrypted resource, (1)(b) when the resource for which the self-content link information is for accessing has been received from the server and

when the content corresponds to a sub-license of the sub-licenses, decrypts the encrypted sub-license corresponding to the content using the decryption key, decrypts an encrypted resource of the plurality of resources using at least one of the decryption keys included in the decrypted sub-license, and presents the decrypted resource, (2)(a) when the upper-level resource has been received from the server and when the content does not correspond to any sub-license of the sub-licenses, decrypts the encrypted upper-level resource using the decryption key uniquely specified based on the resource-corresponding information newly stored in the receiving terminal by the view license setting section and presents the decrypted upper-level resource, and (2)(b) when the upper-level resource has been received by the server and when the content corresponds to a sub-license of the sub-licenses, decrypts the encrypted sub-license corresponding to the content using the decryption key, decrypts the encrypted upper-level resource using at least one of the decryption keys included in the decrypted sub-license, and presents the decrypted upper-level resource (column 14, lines 7-28 - “decryption and/or decompression of digital works...performed by the processing means **1200**”);

25. wherein the server comprises: a first transmission section (figure 12, CPU **1200**) that (i) when a request for the startup document has been received from the first request section of the receiving terminal, transmits, to the receiving terminal, the startup document referred to by the information transmitted from the first request section and referring to the startup document, and (ii) when a request for the resource for which the self-content link information is for accessing has been received, transmits, to the receiving terminal, the resource for which the self-content link information is for accessing and referred to by the information transmitted from the first

request section and referring to the resource for which the self-content link information is for accessing (figure 1, Repository 1 Transmits Digital work to Repository 2 **107**);

26. a second transmission section (figure 12, External Interface **1206**) that, when a request for the upper-level resource has been received from the second request section of the receiving terminal, transmits, to the receiving terminal, the upper-level resource referred to by the extracted reference destination information transmitted from the second request section (figure 1, Repository 1 Transmits Digital work to Repository 2 **107**).

27. However, Stefik does not disclose:

28. at least one of the resources contained in the content includes other-content link information for accessing a resource contained in another content, the other-content link information describing information referring to the startup document of the another content;

29. (i) when a user has given an instruction to switch a view target based on the other-content link information included in the at least one of the resources, transmits, to the server, the information referring to the startup document of the another content described in the other-content link information so as to request the startup document of the another content; or

30. (a) when the startup document of the another content has been received from the server, stores, in the receiving terminal, the resource- corresponding information included in the received startup document, selects a piece of license information from the plurality of pieces of license information included in the received startup document, acquires the view license corresponding to the license identification information described in the selected piece of license information, and stores the acquired view license in the receiving terminal.

31. Yet, even if the missing elements were found in a reasonable number of references, a person having ordinary skill in the art would *not* have been motivated to include the missing elements in an embodiment of Stefik, because it would break the functionality in Stefik.

32. In Stefik, the digital works are constructed such that the child contents of a main content are referenced. These child contents are included as part of the larger content. Each content is not sent, but is “loaned” (see table 1 in column 10 - “Loan-Period”); so, each time a digital content is checked out, the entire content (including all child contents) is loaned from repository to repository. All of the transactions in Stefik refer to “part of a digital work, a complete digital work, or a Digital work containing other digital works” (column 30, lines 55-58). Each digital work requires specific digital rights to be attached to it before it is even generated - see column 11, lines 30-55 - “attachment of usage rights into a digital work...as the digital work is being created.” Modifying the system in Stefik to allow a main content to refer to a separate content which is not part of the main work would break the functionality of referring to only the child works in Stefik, because the main work would need to reference a work which may not actually exist yet. Furthermore, implementing a system by which a content references “another content” would require fundamentally changing the operation of Stefik to include functionality for checking out incidental “other” contents.

33. Therefore, modifying Stefik to include an “other-content link information for accessing a resource contained in another content,” as well as related functionality, would fundamentally change Stefik’s principle of operation, as well as render Stefik’s embodiment unsatisfactory for its original purpose.

34. Therefore, a person having ordinary skill in the art would not have been motivated to modify Stefik to include an “other-content link information for accessing a resource contained in another content.”

35. Claims 17-20 are not patentably distinct from claim 16; therefore, claims 17-20 are allowed for the same reasoning that claim 16 is allowed.

36. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

Conclusion

37. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to CHRISTOPHER C. JOHNS whose telephone number is (571)270-3462. The Examiner can normally be reached from Monday through Friday from 9am to 5pm. The Examiner’s direct fax line is (571) 270-4462.

38. If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Andrew Fischer, can be reached on (571) 272-6779. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

39. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://portal.uspto.gov/external/portal>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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